

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**OFFIE WRIGHT, JR. and
JANICE WRIGHT,**

Plaintiffs;

vs.

**CITY OF HOOVER, and
CHRIS GRAVES,**

Defendants.

CASE NO. CV 05-S-1843-S


MEMORANDUM OF OPINION

The case comes before the court on the motion for summary judgment filed by the defendants. (Doc. 10). A briefing schedule was entered. The time for responding to the motion expired and the plaintiffs filed no response to the motion. On September 20, 2006, the magistrate judge filed a report and recommendation recommending that the defendants' motion for summary judgment be granted. No objections have been filed by any party.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and his recommendation is ACCEPTED. The Court EXPRESSLY FINDS that there are no

genuine issues of material fact and that the defendants are entitled to judgment as a matter of law. Accordingly, defendants' motion for summary judgment is due to be GRANTED and this action is due to be DISMISSED WITH PREJUDICE. A Final Judgment will be entered.

DONE this 26th day of October, 2006.



United States District Judge